

enza. * * * When a cold is left for nature to cure it too frequently develops into the dreaded Pneumonia that takes such heavy toll of human life. The only safe way is to stop a cold at once, which is easily done if you take precaution and use the proper remedy. Laxative Anti-Gripine's purpose is to banish * * * LaGrippe, Headache, Neuralgia, Pains, etc., as quickly as possible. * * * Anti-Gripine * * * Laxative Anti-Gripine is the best remedy I have ever used for the 'Flu.' * * * I have sold * * * Anti-Gripine," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On June 22, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16413. Misbranding of McK & R cold and grippe tablets. U. S. v. 59 Dozen Packages of McK & R Cold and Grippe Tablets. Decree of condemnation and forfeiture. Product released upon deposit of collateral. (F. & D. No. 23373. I. S. No. 05809. S. No. 1539.)

On February 6, 1929, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 59 dozen packages of McK & R cold and grippe tablets, remaining in the original unbroken packages at Boston, Mass., consigned about January 21, 1929, alleging that the article had been shipped by McKesson & Robbins (Inc.), Bridgeport, Conn., and transported from the State of Connecticut into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide, cinchonidine, hydrobromide, camphor, aloin, and an extract of a laxative plant drug.

It was alleged in the libel that the article was misbranded in that the following statements, appearing in the circular, were false and misleading: "McK. & R. Cold and Grippe Tablets contain * * * safe agents. * * * They act * * * safely * * * do not depress or injure the system." Misbranding was alleged for the further reason that the following statements appearing on the labels and in the circular, regarding the curative and therapeutic effects of the said article (tin container, circular, and display carton) "Grippe Tablets," (tin container) "One of the McK. & R. Health Helps * * * One Tablet every two hours during the day or until relieved," (circular) "What is called the Grippe, is a 'riot' produced among striking body functions by the efforts of trouble-making germs that have gained entrance to the blood. Constipated bowels, a sluggish liver and disordered stomach allow food waste to remain unduly long in the body and generate poisonous matter, which is absorbed into the blood and renders the latter irritating. Such poisonous blood irritates the brain muscles and nerves and makes them ache; the skin and kidneys overwork in the effort to get rid of the waste matter. Hence, the easiest and best way to break up and get rid of * * * the Grippe is to take some simple, harmless but effective combination of remedies that will open the bowels, start the kidneys and skin to working actively, relieve the pain and aching, purify the blood and so overcome the strike and quell the riot. McK. & R. Cold and Grippe Tablets accomplish such purposes quickly, safely and effectually. McK. & R. Cold and Grippe Tablets contain standard and safe agents that are used and approved by physicians in the treatment of colds and the Grippe. It is unwise and sometimes dangerous to take certain powerful drugs that depress the heart and derange the circulation, although such may to a greater or lesser degree deaden or disguise the aching and pain. McK. & R. Cold and Grippe Tablets do not depress or injure the system. They act surely and safely to overcome the causes that are at the bottom of the trouble and the effect that follows the taking of the first dose or two is continued provided they are taken according to directions until * * * Grippe cured. Often you may suffer from headache, which is an early sign that your bowels are getting out of order and

ready to make trouble. A McK. & R. Cold or Grippe Tablet or two will not only relieve the headache, but will set your digestive system in order, stir up your liver, make skin and kidneys act more energetically, and so prevent your 'taking cold.' At times when Influenza or the Grippe is raging, those who keep their digestive and eliminating organs actively working escape the disease, even though they can not avoid exposure to the germs of this disease. McK. & R. Cold and Grippe Tablets, therefore, are surely useful; they * * * in most cases prevent and protect. * * * Adults should take one tablet every two hours during the day, or until relieved," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was in whole or in part composed of or contained ingredients or medicinal agents effective in the diseases and conditions named therein.

On May 23, 1929, the Eastern Drug Co., Boston, Mass., having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the deposit of collateral security in the sum of \$100, conditioned that the claimant remove the drug from its containers and place it into a blank container, and destroy the containers, together with all labels, wrappers, circulars, and other printed matter accompanying it under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16414. Misbranding of B B headache powders. U. S. v. 21 Dozen Packages of B B Headache Powders. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23505. I. S. No. 05696. S. No. 1722.)

On March 13, 1929, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 21 dozen packages of B B headache powders, remaining in the original unbroken packages at Charlotte, N. C., alleging that the article had been shipped by Bostwick Bros., from Atlanta, Ga., on or about July 9, 1928, and transported from the State of Georgia into the State of North Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the powders contained acetanilide (3.3 grains per powder), acetylsalicylic acid, potassium bromide, and caffeine.

It was alleged in the libel that the article was misbranded in that the following statement, (circular) "B-B Headache Powders are taken daily by people who can not take aspirin tablets and pills," was false and misleading, since the said article contained acetylsalicylic acid (aspirin). Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, borne on the labels, (envelope) "Quick Relief For * * * Neuralgia * * * La Grippe * * * Sleeplessness, Earache * * * Female Pains * * * for Neuralgia * * * for Earache * * * LaGrippe * * * and Female Pains, take one Powder every hour until relieved," (circular) "B-B Headache Powder is recommended in stubborn cases of * * * Neuralgia and Female Pains, * * * we * * * recommend 'B-B' Headache Powders to be a quick relief. * * * For Neuralgia and Female Pains * * * Female Pains; * * * Neuralgia * * * 'B-B' Headache Powder will give quick relief," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the said statements were applied to the said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was in whole or in part composed of or contained ingredients or medicinal agents effective in the treatment of disease or the prevention thereof.

On May 23, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*